

MINUTES
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Room B-8 - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, MARCH 29, 2006 - 1:30 P.M.

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBER: Ron Santos, Ramona Kohlmann (recording secretary)

MINUTES: November 16 and 30, 2005
December 7, 2005

APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 06-02 / CONDITIONAL USE PERMIT NO. 06-05 (GOVINDAN RESIDENCE)

APPLICANT: Alan Calisher, 2632 Reynier Avenue, Los Angeles, CA 90034-2426

PROPERTY OWNER: Ravi Govindan, 9202 Christine Drive, Huntington Beach, CA 92646

REQUEST: **CDP:** To permit construction of a 4,246 sq. ft., 29 ft. tall, two-story single-family dwelling. **CUP:** To permit construction of a 400 sq. ft. open roof deck above the second-story. The existing dwelling will be demolished and the existing garage will remain. The request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/privacy issues, such as window alignments, building pad height, and floor plan layout.

LOCATION: 9202 Christine Drive (south side of Christine Drive, between Capistrano Lane and Laguna Circle)

PROJECT PLANNER: Ron Santos

Ron Santos, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as outlined in the executive summary.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as outlined in the executive summary. Staff stated that an adjacent property owner inquired into the request, reviewed the project plans and stated concerns related to privacy. No other written or verbal comments were received in response to the public notification.

Mary Beth Broeren, Zoning Administrator, confirmed with staff that the applicant is in agreement to Suggested Condition of Approval No. 1 concerning the front yard requirements.

THE PUBLIC HEARING WAS OPENED.

John Leach, 9212 Christine Drive, neighboring property owner to the east, voiced concern related to the proposed windows and to the line-of-sight into his master bedroom from one of the bathrooms.

Katie Ageson, 9132 Christine Drive, neighboring property owner, spoke in support of the proposed project. She urged the Zoning Administrator to consider cohesion with the surrounding neighborhood when considering the proposed height.

THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Ms. Broeren reviewed the project plans. Discussions ensued addressing the public comments.

Mr. Leach approached and reviewed the project plans with staff. The applicant agreed to raise the height of the proposed bathroom windowsill. Ms. Broeren confirmed that the Building Code requirements for egress dictate the windowsill height.

Ms. Broeren stated that the proposed height is commensurate with the community

COASTAL DEVELOPMENT PERMIT NO. 06-02/CONDITIONAL USE PERMIT NO. 06-05 WERE APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15302 of the CEQA Guidelines, because the project consists of the replacement of an existing structure where the new structure will have substantially the same purpose and capacity as the structure replaced.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 06-02:

1. Coastal Development Permit No. 06-02 to permit construction of a 4,246 sq. ft., 29 ft. tall, two-story single-family dwelling, as modified by conditions of approval, conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a previously developed site, contiguous to existing residential development.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The project, as proposed, complies with all applicable development regulations including maximum building

height and lot coverage and minimum yard setbacks and on-site parking. A condition of approval provides for conformance with minimum landscape requirements.

3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed project will be constructed in an urbanized area with direct access from an existing public street and with all necessary services and infrastructure available including water, sewer and electricity.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access or impact public views to coastal resources. In addition, the project is subject to payment of required park fees, to be used for acquiring and maintaining public parkland for recreational use.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 06-05:

1. Conditional Use Permit No. 06-05 to permit construction of a 400 sq. ft. open roof deck above the second-story will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The proposed deck will be located in the approximate center of the lot, setback approximately 18 feet from the nearest property line, will be screened from view on all sides by the second-story roof. In addition, no residential property exists to the rear of the subject property. Accordingly, the proposed deck will not significantly impact privacy on abutting properties.
2. The conditional use permit will be compatible with surrounding uses because the deck is designed to be architecturally integrated with the existing dwelling. The proposed deck and deck railing will not project above or beyond the roofline of the dwelling and will be setback from adjacent properties so as to minimize impacts to privacy.
3. The proposed project will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The proposed third-story deck will be setback a minimum of five feet from the second-story façade on all sides, as required by the HBZSO, and will comply with applicable height limits.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RL-CZ (Residential Low-Density) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

LU 9.2.1b: Require that all residential development within existing neighborhoods be compatible with existing structures, including:

- The use of building heights, grade elevations, orientation, and bulk that are compatible with the surrounding development.
- Maintenance of privacy on abutting residences.

The proposed third-story deck will not project above the roof-line of the dwelling, will maintain an overall height consistent with two-story construction (approximately 29 feet), and will be architecturally integrated with the design of the house. In addition, the deck will

be setback a minimum of 13 feet from the second-story façade and 18 feet from the nearest property line, thus minimizing bulk and impacts to privacy on adjoining properties.

**CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 06-02 /
CONDITIONAL USE PERMIT NO. 06-05:**

1. The site plan, floor plans, and elevations received and dated March 14, 2006, shall be the conceptually approved design with the following modification(s):
 - The required front yard setback (15 ft. depth for full width of lot) shall be landscaped a minimum of 40 percent.
2. An 8½ inch by 11 inch copy of the plans approved by the Zoning Administrator (received and dated March 14, 2006) shall be submitted to the Planning Department.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

THE MEETING WAS ADJOURNED AT 1:55PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, APRIL 5, 2006 AT 1:30 PM.

Mary Beth Broeren
Zoning Administrator

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